

MINUTES
Montana Fish, Wildlife & Parks Commission Meeting
Helena Headquarters
1420 East 6th Avenue
Helena, MT 59620

AUGUST 5, 2004

Commission Members Present: Dan Walker, Chairman; John Lane; Mike Murphy; John Brenden.

Fish, Wildlife & Parks Staff: Jeff Hagener, Director; FWP Department personnel.

Guests: Mark Sommer, APLE; Colin Berry, Humane Society of the U.S.; Charles Shanefelter, MTA; James Halseth, MTA; Paul and Melissa Tuemmler; John Hughes, MTA; David Guillard, Predator Conservation Alliance; Molly Arrandale, Predator Conservation Alliance; Larry Copenhaver, MT Wildlife Federation; Tony McGee, Wildlife Conservation Society; Ed Hebbe, MTA; Jay Bodner, MSGA; Robin Cunningham, FOAM; Curtis Spindler, MT Bass Federation; John Wilson, MT Trout Unlimited.

Topics of Discussion:

- 1. Opening - Pledge of Allegiance**
- 2. Approval of July 8, 2004 Commission Minutes**
- 3. Approval of Commission Expenses through July 31, 2004 (Includes Year End)**
- 4. 2004 Antelope Quotas - Final**
- 5. 2004 Furbearer Regulations and Quotas – Final**
- 6. Early Season Migratory Bird Regulations – Final**
- 7. 2004 Flathead Reservation Upland Game Bird Regulations - Final**
- 8. 2004 Late Season Waterfowl Seasons / Closures – Tentative**
- 9. Proposed Administrative Rules for Moose & Sheep Auction and for Deer & Elk Auction/Lottery**
- 10. Bird Creek Ranch Conservation Easement Proposal – Tentative**
- 11. Record of Decision Sage Grouse Management Plan EA - Final**
- 12. 2004 Season Extension Criteria ARM – Tentative**
- 13. River Recreation Management Update - Informational**
- 14. PLPW Council Update - Informational**
- 15. 2004-2005 Fishing Regulations - Tentative**
- 16. Public Opportunity to Address Issues Not Discussed at this Meeting**

1. Opening - Pledge of Allegiance. Chairman Dan Walker called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance.

2. Approval of July 8, 2004 Commission Minutes.

Action: Lane moved and Brenden seconded the motion to approve the minutes of the July 8, 2004 meeting. Motion carried.

3. Approval of Commission Expenses through July 31, 2004 (Includes Year End).

Action: Murphy moved and Lane seconded the motion to approve the Commission expenses through July 31, 2004 as presented. Motion carried.

4. 2004 Antelope Quotas – Final. Jeff Herbert, FWP Wildlife Division Assistant Administrator, and Gary Hammond, FWP Wildlife Management Bureau Chief presented the final Antelope quotas and changes to the tentatives. Antelope permits will be drawn following the Commission meeting after final quotas have been set. The early deer and elk drawings have received many positive compliments.

Region 2 – Antelope

HD215-10 – Increase doe/fawn antelope quota from 5 to 15

Action: Murphy moved and Lane seconded the motion to approve the Region 2 Antelope quotas as recommended by the Department. Motion carried

Region 3 – Antelope

HD318-00 – Increase either-sex quota from 150 to 200

HD321-00 - Increase either-sex quota from 275 to 325

HD321-10 – Increase doe/fawn quota from 100 to 200

HD329-00 – Increase either-sex quota from 175 to 250

HD329-10 – Increase doe/fawn quota from 10 to 50

HD360-00 – Increase either-sex quota from 400 to 500

HD381-00 – Decrease either-sex quota from 15 to 8

HD381-10 – Increase doe/fawn quota from 10 to 20

HD381-11 – Decrease doe/fawn quota in south portion of HD from 25 to 5

HD390-00 – Increase either-sex quotas from 75 to 150

Murphy expressed his desire to make three modifications to the recommended tentatives. Those changes are to decrease HD 381-00 to 10 rather than 8, increase HD381-10 to 15, and to decrease HD381-11 to 15.

Action: Murphy moved and Lane seconded the motion to approve the Region 3 Antelope quotas as recommended by the Department with the modifications to decrease HD 381-00 to 10, to increase HD381-10 to 15, and to decrease HD381-11 to 15. Motion carried.

Region 4 – Antelope

HD401-00 – Increase either-sex quota from 300 to 400

HD404-00 – Increase either-sex quota from 150 to 200

HD440-00 – Increase either-sex quota from 125 to 150

HD444-00 – Increase either-sex quota from 125 to 200

HD470-10 – Decrease doe/fawn quota from 100 to 50

HD471-00 – Increase either-sex quota from 100 to 200

HD471-10 – Increase doe/fawn quota from 125 to 250

HD473-00 – Decrease either-sex quota from 200 to 150

HD490-00 – Increase either-sex quota from 225 to 275

HD490-10 – Increase doe/fawn quota from 275 to 650

HD491-00 – Decrease either-sex quota from 150 to 125

Action: Lane moved and Walker seconded the motion to approve the Region 4 quotas as recommended by the Department. Motion carried.

Region 5 – Antelope

HD550-30 – Successful either-sex applicants will be given the opportunity to purchase one doe/fawn license

HDs 500-30, 501-30, 510-30, 513-30, 530-30, 560-30, 570-30, 571-30, and 590-30 – Successful either-sex applicants will be given the opportunity to purchase two doe/fawn licenses

Action: Walker moved and Murphy seconded the motion to approve the Region 5 Antelope quotas as recommended by the Department. Motion carried.

Region 6 – Antelope

HD620-00 – Decrease either-sex quota from 600 to 500

HD620-10 – Decrease doe/fawn quota from 200 to 100

HD630-00 – Decrease either-sex quota from 300 to 150

HD630-10 – Decrease doe/fawn quota from 50 to 10

HD650-00 – Decrease either-sex quota from 600 to 200

HD650-10 – Decrease doe/fawn quota from 100 to 10

Action: Brenden moved and Lane seconded the motion to approve the Region 6 Antelope quotas as recommended by the Department. Motion carried.

Winterkill greatly affected Region 6, as well as the fact that they were driven across the Missouri River and now can't get back.

Region 7 – Antelope

No proposed changes to the tentatives.

Action: Walker moved and Brenden seconded the motion to approve the Region 7 Antelope quotas as recommended by the Department. Motion carried.

HD900-30

Hammond said that the Department proposes only 1 doe/fawn license in multi-district HD900-30.

Action: Walker moved and Murphy seconded the motion to approve 1 doe/fawn license in HD900-30. Motion carried.

5. 2004 Furbearer Regulations and Quotas – Final. Hammond said the only change from the tentatives is a wording change to the reporting section. The toll-free telephone number will also be included in the regulation package.

Walker said he and Commissioner Mulligan had discussed the regulations in the pelt tagging section. Where the regulations read "...or 10 days after the close of the season ...", the following words "for that trapping district ..." prompted discussion as to where trappers must report. Mulligan and Walker did not feel it was limited to the district where the pelt was taken. Since it appears in the wording, Walker asked for clarification.

Brian Giddings, FWP State Furbearer Coordinator, said this section refers to the season closing date in that trapping district. It is based on the district season-closing date in the trapping district in which the animal was taken. It does not require having to tag the pelt in that particular district. Herbert said a designated FWP employee must tag the pelt, but it does not specify that the designated FWP employee is from that trapping district. It pertains to the closure within that district. Walker clarified, by the following example, that if a trapper takes an animal in R5 and R6, and R5 closes early, then within 10 days of that closure he must have those pelts tagged, but not necessarily in Region 5. Herbert and Giddings concurred that that was correct.

John Hughes, MTA, asked what “proper regional office” means in the pelt tagging portion of the regulations. Herbert said the words “the proper” should be stricken from the regulations and replaced with “a regional office”.

Walker said his understanding is that FWP personnel at reporting locations will ascertain the location of the take. Enforcement personnel will verify this by visiting the take sites etc. Giddings said the phone line will request additional information, such as landmarks, what county it was taken in, etc.

Hammond said the reporting service can send information electronically to 9 locations to provide daily reviews. Jim Kropp, FWP Enforcement Division Administrator, said wardens need access to the reporting information. A database accessible from home or office is preferable.

Bob Lane, FWP Legal Counsel, said a statute is in place that states that any violation, knowingly or purposely, is a misdemeanor. This applies to both statutes and regulations.

Kropp said additional language Mulligan had proposed was to state as a condition of trapping, relative to inspection, that after a trapper reports his take, and upon the request of a warden who chooses to inspect the pelt at the trapper’s residence, the trapper should produce it. Bob Lane had drafted language addressing this issue which reads “as a condition of trapping in Montana and under the authority of MCA 87-1-502(6), a trapper is required to produce for inspection upon the request of a warden the pelt if any furbearer taken”. Lane explained that Mulligan’s concern stemmed from people waiting until late in the season, then reporting their animals all at once. This would keep people honest by reporting on a regular basis.

Kropp explained that this puts the trapper on notice that once he has made a report, and FWP desires to inspect the pelt, the trapper is required to produce it. If a person refuses access at their residence, a search warrant is then required to inspect at that location. There is also a commission rule in place that maintains FWPs right to inspect, and if the trapper does not cooperate, he can be cited. Refusal to take wardens to a kill site is also a citable offense. Kropp said it is advantageous to look at both the pelt and the kill site.

Brenden said the intent is good but he feels this is excessive. He said if persons report, they are acting in good faith. He is more concerned about people who kill and do not report. Trappers need to be respectful of the law. Walker feels this would provide information to new trappers. It does not change anything, but provides a mechanism.

Action: Walker moved and Lane seconded the motion to incorporate the proposed language into the reporting section of furbearer regulations.

John Lane asked if this rule will circumvent a search warrant if a trapper is not reporting within the time limit or doing any illegal activity, to which Kropp replied it would not. Other reasons would dictate the obtaining of a search warrant. Kropp added that fur buyers must keep records, and FWP can inspect where, why, and how they obtain pelts. Kropp said if the wardens are refused access to the pelt, they can then obtain a search warrant.

Bob Lane said this does not change the requirements of the statute, but alerts trappers to the fact they could be cited.

Action on Motion: Two in favor and 2 opposed. Motion failed. (Walker and Lane in favor - Brenden and Murphy opposed).

Action: Walker moved and Murphy seconded the motion to approve the reporting language affecting all four species (otter, bobcat, fisher and wolverine) as recommended by the Department. Motion carried.

Otter

No changes to tentatives.

Action: Brenden moved and Murphy seconded the motion to approve the Otter regulations. Motion carried.

Action: Walker moved and Murphy seconded the motion to approve otter limits, which state that a person may take and possess 2 otter per season. Motion carried.

Bobcat

No changes to the tentatives.

Murphy said the quota had been reduced due to the suspicion of trappers holding cats, and then turning them in at the last minute. It appears that this is happening, and it needs to be determined if there is, indeed, an enforcement issue. Murphy encouraged enforcement personnel to conduct more random checks.

Action: Murphy moved to increase the Bobcat quota from 200 to 225, and increase the per trapper limit from 3 to 5.

Kurt Alt, FWP Region 3 Wildlife Manager, said that in looking at parameters on which harvest numbers are based, the ratio of adult/kitten has dropped from a high, but are in an average range. He added that prices are up for pelts, which increases demand. Alt said the Department's quota recommendation could show compliance with the quota, and an increase would remove that certainty – he assured the Commission that next year there will not be any exceeding of the quota.

Action on Motion: Lane seconded. Motion carried.

Fisher

Action: Murphy moved and Walker seconded the motion to approve the tentative regulation that a person may take and possess one Fisher. Motion carried.

Wolverine

A map is included, and the legal description was clarified.

Action: Brenden moved and Lane seconded the motion to approve the limit of one wolverine per season.

David Guilliard, Predator Conservation Alliance, said because of the importance Montana holds for wolverines, and because of the low numbers in Montana, they urge the Commission to reduce trapping to only District 1. He read from a letter submitted by a colleague, which stated that wolverine trapping is harsher than for other species, and wolverines are more susceptible to harvest.

Colin Berry, Humane Society of the United States, Northern Rockies Regional Office, said more research needs to be done regarding the wolverine. They feel reintroduction will be required in the near future. They are asking the Commission to consider a moratorium until research is completed.

James Halseth, MTA, stated his organization supports wolverine management.

Action on Motion: Motion carried.

Action: Brenden moved and Lane seconded the motion to clarify wolverine management units as recommended by the Department. Motion carried.

Action: Brenden moved and Lane seconded the motion to approve all other tentative furbearer regulations in addition to those addressed. Motion carried.

6. Early Season Migratory Bird Regulations – Final. Gary Hammond, FWP Wildlife Division Management Bureau Chief, explained the only change to the tentative regulations is a wording clarification concerning the legal description of the Point of Rocks Road relative to the expanded Sandhill crane hunt near Cardwell. The descriptive wording will read "... the Parrot Hill / Cedar Hill Road thence southwesterly along said road and the Cemetery Hill Road to the Parrot Ditch Road to the Point of Rocks Road to Carney Lane to the Bench Road to the Waterloo Road to Bayers Lane".

Herbert said these regulations reflect a continuation of the liberal package that the Department has been operating under for the last few years. Hammond added that due to concerns associated with early season youth hunts at Canyon Ferry WMA, check stations and a hunter survey will be in effect in Region 3.

Action: Murphy moved and Brenden seconded the motion to approve the Early Season Migratory Bird Regulations as proposed by the Department. Motion carried.

7. 2004 Flathead Reservation Upland Game Bird Regulations – Final. Gary Hammond, FWP Wildlife Division Management Bureau Chief, reviewed the regulations prepared by the Flathead Reservation as follows. These regulations are adopted in addition to other applicable regulations listed within the 2004 Flathead Indian Reservation Fish, Wildlife and Recreation Regulations.

Hungarian Partridge –

Season – September 1, 2004 through December 15, 2004

Shooting Hours – Sunrise through sunset of each day within the listed hunting season

Limits – 8 partridge daily and 32 partridge in possession after the fourth day of the season

Pheasants –

Season – October 9, 2004 through December 15, 2004

Sunrise through sunset of each day within the listed hunting season

Limits – 3 cock pheasants daily and 9 cock pheasants in possession after the third day of the season

Only federally approved non-toxic shot in shotguns no larger than 10 gauge, and capable of holding no more than three shells, are legal for bird hunting on the Flathead Indian Reservation.

Action: Murphy moved and Lane seconded the motion to concur with the 2004 Flathead Reservation Upland Game Bird Regulations. Motion carried.

8. 2004 Late Season Waterfowl Seasons / Closures – Tentative.

Season dates for youth waterfowl hunting are September 25-26, 2004.

Date changes among all three flyways. Liberal package.

Action: Walker moved and Brenden seconded the motion to approve the 2004 Late Season Waterfowl Seasons/ Closures as recommended by the Department. Motion carried

9. Proposed Administrative Rules for Moose & Sheep Auction and for Deer & Elk Auction/Lottery. Jeff Herbert, FWP Wildlife Division Assistant Administrator, explained that Commission approval of these proposed Administrative Rules was necessary in order to proceed with submitting them to the Secretary of State's office. Currently, the auction / lottery rules are presented annually to the Commission for approval. This Rule would make the rules permanent, thus relieving the Commission of the task of annual review and approval.

Brenden questioned why the auction / lottery of licenses is being proposed for Administrative Rule. Any amendments that may come up would be simpler to initiate without the burden of the ARM process. Herbert replied that the Department was merely acting in response to what the Commission had requested them to do after last year's review of the annual rule. He agreed that flexibility would be reduced with the establishment of an Administrative Rule.

Walker said he feels there will definitely be more changes. He said, for instance, that the PL/PW group has discussed offering a lottery or auction as a fund raising mechanism to provide monetary support for the Block Management Program. His recommendation was to retain the annual rule process as is currently practiced. Hagener reminded everyone that the Moose and Sheep licenses are for auction only, and the Deer and Elk licenses may be sold by auction or lottery.

Action: Walker moved and Brenden seconded the motion to approve the proposed rules as annual rules rather than Administrative Rules. Motion carried.

Herbert stated that these approved tentative rules will now be presented for public comment prior to finalization in September. This timeframe is sufficient time to solicit bids for the distribution of the licenses. **Becky Dockter, FWP Legal Counsel**, said this proposed Administrative Rule as written can serve as the template for the annual rule.

Walker stated that he had been contacted by a serviceman in the Armed Forces who had drawn a goat permit, and was then was deployed to Iraq. Walker asked, on behalf of the serviceman, if the tag could be held or transferred to the following year. Hagener said statute directs that the Commission can only issue permits annually, and that tags cannot be held or transferred.

10. Bird Creek Ranch Conservation Easement Proposal – Tentative. Jeff Herbert introduced **Graham Taylor, FWP Region 4 Wildlife Manager**, who explained that the 2,280-acre Bird Creek Ranch is located near Cascade, and is a traditional family cattle, sheep and hay operation. This easement involves several partners who have worked together towards a successful easement acceptable to all parties. This site includes upland game bird habitat as well as deer habitat, qualifying the purchase for upland game bird habitat funding.

Brenden and Lane are not in favor of using upland game bird funds to purchase easements. Other funding resources should be explored.

Action: Lane moved and Murphy seconded the motion to proceed with landowner negotiations on the proposed Bird Creek Conservation Easement. Motion carried.

11. Record of Decision Sage Grouse Management Plan EA – Final. Jeff Herbert explained the Department is moving forward with the statewide Sage Grouse Management Plan. FWP has a multitude of partners with which important commitments have been made. A revised Environmental Assessment (EA) has been conducted, and now need endorsement of the proposed alternative. After the Director signs the Record of Decision, the proposal will be circulated to the partners for their approval.

Three components of the proposed alternative are adaptive harvest management, documenting protocol, and the initiation of a landowner incentive program.

Rick Northrup, FWP Wildlife Division Game Bird Coordinator, said the process has been lengthy. Fifteen meetings were held to put the state plan together. The draft plan was then presented to seven locations for public input. It has been a collaborative process with a number of organizations involved.

The EA describes actions the Department has committed to complete in the final plan. The original EA was revised due to a number of comments received. An in-depth analysis was conducted, and a more concerted effort was made to prevent listing. One alternative, based on lek counts, is to not open the hunting season. The proposed sagebrush initiative will pay landowners to maintain existing sagebrush habitats for 30 years.

Herbert said the season dates are September 1 through the end of October, and the bag limit is 3. He added that the recruitment rate is slow.

Discussion ensued regarding the financial end of the proposal. Hagener said NRCS will contribute funds in addition to monies provided by FWP. Herbert added that CRP also has a major impact on upland game bird populations, and that the Department has been involved with CRP reauthorization. Hagener said a meeting with the Environmental Quality Council revealed that Montana is a step ahead in initiating a landowner incentive program. FWP would like the Service to consider what Montana has accomplished before listing the sage grouse under the Endangered Species Act. Herbert said the USFWS will look at the commitments made. FWP's partners are anxious to get this process underway.

Action: Walker moved and Lane seconded the motion to approve the Sage Grouse Management Plan as recommended by the Department. Motion carried. Three in favor – one opposed. (Brenden opposed).

12. 2004 Season Extension Criteria ARM – Tentative. Gary Hammond explained the Administrative Rule modification is proposed in order to provide specific criteria for hunting season extensions on a statewide basis. When criteria were developed, a general season format was used as a basis. Season extensions would be used only in extenuating circumstances. Hammond read from the proposed rules.

Hagener asked for clarification as to whether the entire commission would need to approve extensions, or if only support from the local commissioner would be sought. Dockter replied that the intent is for the local commissioner to be contacted for approval. She added that this is strictly for season extensions and does not involve price reductions.

Action: Brenden moved and Walker seconded the motion that upon consultation with the regional FWP supervisor, the director, and the local commissioner, the hunting season extension shall be approved or disapproved, and in the absence of the local commissioner, the chairman may be consulted. Motion carried.

Walker asked what the liberal season requisite has to do with this. Hammond said they felt it best to have a liberal season, and do all that can be done in the general season, and if it needs to be extended, then it would be possible. Walker then asked about snow accumulation stipulations in the rule, as this is a judgment situation occurring late in the season. He does not feel this stipulation is viable. Hammond said it was placed there as a basis upon which to keep from being subjective. After discussion, it was agreed to remove the words “where snow accumulation at 75% of record snowfall or more occurs during the general fall hunting season” from Paragraph (2) relative to severe weather conditions.

Action: Walker moved and Brenden seconded the motion to remove the above wording from Paragraph 2. Motion carried.

Action: Brenden moved and Walker seconded the motion to approve the entire proposed season extension as recommended by the Department with the two above amendments. Motion carried.

13. River Recreation Management Update – Informational. Charlie Sperry, FWP River Recreation Management Specialist, requested that a Work Session be held in conjunction with the September Commission meeting being held in Missoula. The work session would allow the Blackfoot River Advisory Committee to provide information regarding their proposed project. Sperry added that a warm water fish hearing is also scheduled for the evening of September 8th. The Commissioners agreed to a work session.

Pat Flowers, FWP Region 3 Supervisor, said the current rules governing the Beaverhead and Big Hole Rivers are due to expire in May, 2005. Endorsement from the Commission to begin the rule-making process is requested, with the expectation of presenting a list of Citizen Advisory Committee candidates to the Commission at the October meeting. Flowers provided a draft schedule outlining the proposed MEPA/MAPA timelines, which will go into effect immediately after today’s meeting if the Commission gives consent.

Flowers said input from a citizen’s advisory committee is necessary. Criteria will be established for the selection of advisory committee members, with an emphasis on commitment. An aggressive schedule has been set for holding committee meetings. The three options proposed are to recommend the adoption of the current rules on a long-term basis, to recommend modification to the current rules,

or to recommend adoption of the current or modified rules on a short-term basis until a long-term solution is decided upon.

Action: The Commission recommended continuing with the rule-making process.

14. PLPW Council Update – Informational. Alan Charles, FWP Landowner Sportsman Relations Coordinator, said the PL/PW Council approved 123 draft recommendations. Mailings were sent to 1,500 people, two press releases were released, information packets were provided to various editors, and a website for comments was developed. Based on preliminaries, the general recommendation was to reauthorize existing programs, and the three existing sources of funding. The Council also proposed three new sources of funding, which included the sale of a decal, the establishment of a trust fund, and the creation of a super tag lottery system for each of the main game species. A fourth suggestion to create a new landowner sponsored B10 license was rejected due to lack of support from both sportsmen and outfitters. Charles said discussion regarding the exiting program also included allowing non-resident operators to obtain a complimentary license or payment, and allowing eligible cooperators the authority to transfer their complimentary license to a family member. There is also the desire to hire additional wardens and hunting access technicians.

Hagener clarified that the revenue generated by the auction of big game licenses is intended to benefit the wildlife species -- separate legislation would be required if proceeds were to subsidize the Block Management Program.

Lane inquired if payment caps would be raised, to which Charles replied it was not discussed. The payment system remains the same as it has over the past eight years.

Brenden expressed his concern that some landowners may be double dipping when the money could be used elsewhere. If an easement has already been purchased, why also reimburse for Block Management?

Walker said non-residents are treated differently than resident landowners in that a non-resident can receive payment *or* a license, and residents receive both. Charles said a draft recommendation was addressed that would allow non-residents to receive both as well.

Charles said the PL/PW Council will meet August 30-31 at the Boone and Crockett Ranch.

15. 2004-2005 Fishing Regulations – Tentative. Karen Zackheim, FWP Fisheries Division Management Bureau Chief, explained that the proposed changes have been limited to corrections, clarifications, and conservation measures. Based on public comment, one addition to a definition and one new regulation is being proposed for consideration.

General provisions: under Definitions for Artificial Flies and Lures

Add edible bait

Add definition for Gaff

Spear

Delete “compressed gas” from definition

Commercial Bait Fish Seining and Sale of Bait Fish

Allow commercial harvest and sale of sculpin in the Central and Eastern districts

Western District

Clarification of bait regulations – cannot use live bait anywhere
Possession limit clarification

Zackheim said the western district does not allow the use of sculpin due to whirling disease concerns.

Warm Water Game Fish Stamp – proposing stocking bass in the listed waters, under the agreement we would require a regulation to use stamp if people catch any warm water fish on these lakes

Bull trout –

Collecting data and working with US Fish and Wildlife Service. May propose a change in October.

Central District

Methods for harvesting sculpin
Use of sculpin
Possession limit
Lines and hooks through ice
Rock Creek wording change for consistency

Eastern District

Live bait correction

Action: Lane moved and Brenden seconded the motion to approve the fishing regulations as recommended by the Department. Motion carried

Paddlefish Regulations

This regulation would read “The Montana non-profit corporation designated to accept paddlefish egg donations for the caviar market is authorized to transport legally tagged paddlefish donated by anglers in accordance with guidelines developed and implemented through the annual Paddlefish Roe Program MOU. Paddlefish taken on the Yellowstone River between the Burlington Northern Railroad Bridge at Glendive and the North Dakota state line and donated by anglers at the Intake FAS or at the Sidney Bridge FAS are eligible for transport by designated individuals”.

Action: Walker moved and Brenden seconded the motion to accept the Paddlefish Regulations as proposed by the Department. Motion carried.

Two proposals were received from the public regarding Noxon Rapids Reservoir and Cutthroat Trout limits.

Jim Vashro, FWP Region 1 Fisheries Manager, said last year an attempt was made to standardize spawning limit regulations at Noxon Rapids. The current exception provides later closure to better cover the spawning period and accommodates the bass tournaments.

A suggestion was made by an individual that the Department change the limit at Noxon Reservoir to 5 bass daily and 1 in possession over 22 inches, and the season become May 15 – July 1, catch and release except 1 fish over 22 inches daily and in possession.

Action: No motion made regarding Noxon Rapids Reservoir.

FWP manages cutthroat trout conservatively. They may not need this level of protection, but our feeling of making exceptions for half of the lakes would muddy the waters. The suggestion by one individual was for 5 daily and in possession with no size limit.

Action: Brenden moved to approve the Standard Cutthroat Limits as proposed. No second – motion died.

Bass

It was suggested that the regulation be edited for clarity.

Action: Walker moved and Murphy seconded the motion to clean up the bass regulation for Church Lake, Echo Lake, and Peterson Lakes. Motion carried.

16. Public Opportunity to Address Issues Not Discussed at this Meeting. No comments.

Meeting adjourned at 12:40 p.m.

Dan Walker, Chairman

M. Jeff Hagener, Director